

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 4, 2006

There are no minutes for this date.

September 5, 2006

C049424 THE PEOPLE v. TADDICKEN (Not for Publication)
Defendant's appeal in case No. 034512 is dismissed. The judgment in case No. 025063 is affirmed.
MORRISON, J.
We Concur: Raye, Acting P.J.
Butz, J.

C049744 THE PEOPLE v. XIONG (Not for Publication)
The judgment is modified... As modified, the judgment is affirmed. The cause is remanded for resentencing on the section 186.22, subdivision (b) (1) enhancement in count four.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Hull, J.

C049924 PEARSON v. BRACE, JR., et al. (Not for Publication)
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.

C051239 SINGH v. VINTAGE ESTATES (Not for Publication)
The judgment is affirmed. Defendant shall recover costs on appeal.
RAYE, J.
We Concur: Sims, Acting P.J.
Nicholson, J.

September 6, 2006

C049971 THE PEOPLE v. TORRES (Not for Publication)
The matter is remanded to the trial court with directions to separately list the driving under the influence offense fine and penalty assessments. The trial court is also directed to correct the minute order, deleting the no-contact order. The judgment is otherwise affirmed.
BLEASE, Acting P.J.
We Concur: Morrison, J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 6, 2006, continued

- C047638 McKIBBIN v. CAIRNEY (Not for Publication)**
The judgment is affirmed. McKibbin shall recover costs on appeal.
McKibbin's request for sanctions is denied.
RAYE, J.
We Concur: Scotland, P.J.
Sims, J.
- C050367 THE PEOPLE v. PICKLES (Not for Publication)**
C050474 THE PEOPLE v. PRASAD (Not for Publication)
THE COURT:
The opinion of this court filed August 15, 2006, in the above entitled case is modified as follows...
... As modified, the petition for rehearing is denied. The modification does not effect a change in the judgment.
BY THE COURT:
BLEASE, Acting P.J.
DAVIS, J.
HULL, J.
- C050941 In re BRIANNA C.; GLENN COUNTY HUMAN RESOURCES AGENCY v. WILDER C.**
BY THE COURT:
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.

September 7, 2006

MISC. ORDER 2006-013

By the Court:

Associate Justice Harry Hull is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 77, and 78, during the absence of the Presiding Justice from the court on September 11, 2006, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

- C049170 THE PEOPLE v. NIETO (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Robie, J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 7, 2006, continued

- C049425 THE PEOPLE v. EARP (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Davis, Acting P.J.
Hull, J.
- C049587 THE PEOPLE v. RAWLINSON (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Davis, J.
Robie, J.
- C051285 THE PEOPLE v. PRUNTY (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
I concur: Cantil-Sakauye, J.
I concur in Presiding Justice Scotland's opinion except for part V, where I concur
in the result.
Sims, J.
- C049669 FICKEWIRTH et al. v. COUNTY OF PLACER et al. and LAKEVIEW FARMS,
Inc., et al.
SCILACCI et al v. COUNTY OF PLACER et al. and LAKEVIEW FARMS, Inc.,
et al. (Not for Publication)**
The judgment dismissing the Fickewirths's petition for a peremptory writ
of mandate is reversed. The trial court is directed to issue a peremptory writ of
mandate directing the County to set aside and vacate its approval of the sporting
clay shooting range portion of the project proposed by Lakeview Farms and the
mitigated negative declaration and to cause an EIR to be prepared as the noise
effect of this portion of the project. The Fickewirths shall recover their costs on
appeal.
The judgment granting in part the petition of the Scilaccis for a
peremptory writ of mandate is affirmed. The parties shall bear their own costs on
appeal.
Morrison, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 7, 2006, continued

C051026 In re DARIUS C.; THE PEOPLE v. DARIUS C. (Not for Publication)

The judgment is affirmed.

SCOTLAND, P.J.

We Concur: Davis, J.

Hull, J.

**C051913 In re CORTNEY M.; LASSEN COUNTY DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. PATRICIA M. (Not for Publication)**

The orders of the juvenile court are affirmed.

HULL, J.

We Concur: Sims, Acting P.J.

Davis, J.

September 8, 2006

**C046211 EL DORADO IRRIGATION DISTRICT v. STATE WATER RESOURCES
CONTROL BOARD and STATE WATER CONTRACTORS, INC., et al. and
DEPARTMENT OF WATER RESOURCES**

**C046211 EL DORADO COUNTY WATER AGENCY v. STATE WATER RESOURCES
CONTROL BOARD and STATE WATER CONTRACTORS, INC., et al. and
DEPARTMENT OF WATER RESOURCES (CERTIFIED FOR PUBLICATION)**

El Dorado's cross-appeals are dismissed. The Board, the Department, Westlands, and State Water Contractors shall recover their costs relating to those cross-appeals.

The judgment is affirmed. El Dorado shall recover its costs relating to the appeals of the Board, Westlands, and State Water Contractors. (Cal. Rules of Court, rule 27(a) (1), (4).)

ROBIE, J.

I concur in Justice Robie's opinion...

Sims, J.

I concur in the judgment and in the opinion except that I dissent from the reasons given in support of Parts II A and II B of the Discussion...

BLEASE, Acting P.J.

C048581 KRISTINA S. v. WALTER S. (CERTIFIED FOR PUBLICATION)

The orders of the court are reversed. Appellant is awarded her costs on appeal. (Cal. Rules of Court, rule 27 (a) (1).)

DAVIS, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

September 8, 2006, continued

**C049527 ENVIRONMENTAL COUNCIL OF SACRAMENTO et al. v. CITY OF
SACRAMENTO et al. and ALLEGHANY PROPERTIES, INC., et al.
(CERTIFIED FOR PUBLICATION)**

THE COURT:

The opinion in the above-entitled matter filed on August 9, 2006, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

BY THE COURT:

BLEASE, Acting P.J.
DAVIS, J.
RAYE, J.